

TPB Paper No. 10601

**For Consideration by the
Town Planning Board on 6.12.2019**

**REVIEW OF APPLICATION NO. A/H6/87
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**PROPOSED ‘FLAT’ USE (PROPOSED ACCESS ROAD FOR RESIDENTIAL
DEVELOPMENT AT 4-4C TAI HANG ROAD AND PEDESTRIAN LINK)
IN “GREEN BELT”, “RESIDENTIAL (GROUP A) 1” AND
“RESIDENTIAL (GROUP B)” ZONES AND
AREA SHOWN AS ‘ROAD’**

**4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND
TAI HANG ROAD, HONG KONG**

(for 2nd Deferment)

REVIEW OF APPLICATION NO. A/H6/87
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

(2nd Deferment)

<u>Applicant</u>	Century Shiner Limited represented by Kenneth To & Associates Limited
<u>Site</u>	4-4C Tai Hang Road (Part) and adjoining Government land, Tai Hang Road, Hong Kong
<u>Site Area</u>	About 2,203.9m ² (including about 2,090.4m ² (94.8%) of Government land)
<u>Lease</u>	Inland Lot No. 7426 (a) 75 years from 22.9.1958 (b) restricted for private residential purposes with a Right of Way to and from the lower portion of Tai Hang Road (c) maximum GFA of 2,928m ² (d) the Lessee shall maintain the adjoining slope
<u>Plan</u>	Approved Causeway Bay Outline Zoning Plan (OZP) No. S/H6/17 <i>[Draft Causeway Bay OZP No. S/H6/16 at the time of s.16 application submission]</i>
<u>Zoning</u>	“Green Belt” (“GB”) – about 1,167.4 m ² (about 53%) “Residential (Group A) 1” (“R(A)1”) – about 796 m ² (about 36%) - maximum building height (BH) of 115mPD “Residential (Group B)” (“R(B)”) – about 113.5 m ² (about 5%) - maximum plot ratio (PR) of 5, and maximum BH of 30 storeys including carports ‘Road’ – about 127 m ² (about 6%)
<u>Application</u>	Proposed ‘Flat’ use (proposed access road for residential development at 4-4C Tai Hang Road and pedestrian link)
<u>MPC’s Decision</u>	Rejected on 18.1.2019
<u>Subject of Review</u>	To review the MPC’s decision to reject the application

1. **Background**

- 1.1 On 20.6.2018, the applicant sought planning permission for a proposed access road for a planned residential development at 4-4C Tai Hang Road and a proposed pedestrian link connecting a section of upper and lower Tai Hang Road with Ormsby Street/Wun Sha Street at Tai Hang at the application site (**Plan R-1**). On 18.1.2019, the Metro Planning Committee (MPC) of the Town Planning Board (the Board) rejected the application.
- 1.2 On 22.2.2019, the applicant's representative applied, under Section 17(1) of the Ordinance, for a review of the MPC's decision to reject the application. On 12.7.2019, as requested by the applicant, the Board agreed to defer making a decision on the review application for two months to allow time for preparation of further information to address the comments from relevant government departments. On 13.9.2019, the applicant submitted further information on the proposed access road and pedestrian link including revised drawings to address comments from government departments. The review application has been scheduled for consideration by the Board at this meeting.

2. **Request for Deferment**

On 14.11.2019, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the review application for another two months to allow more time for the preparation of further information to address departmental comments (**Annex A**).

3. **Planning Department's View**

- 3.1 The application has been deferred once upon the request of the applicant for two months for the preparation of further information to address departmental comments. Since the first deferment on 12.7.2019, the applicant submitted further information on the proposed access road and pedestrian link as highlighted in paragraph 1.2 above and had meetings with the relevant government departments in October/November 2019. As the relevant government departments have further comments on the submission, the applicant would require more time to prepare further information to address those comments.
- 3.2 The Planning Department has no objection to the request for deferment as the justification for deferment meets the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare further information to address departmental comments, the deferment period is not indefinite, and that the deferment would not affect the interest of other relevant parties.

3.3 Should the Board agree to defer making a decision on the review application, the application will be submitted to the Board for consideration within three months upon receipt of further information from the applicant. If the further information submitted by the applicant is not substantial and can be processed within a shorter time, the review application could be submitted to an earlier meeting for the Board's consideration. The applicant should be advised that the Board has allowed a further two months for preparation of submission of further information. Since it is the second deferment of the review application, the applicant should also be advised that the Board has allowed a total of four months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

4. **Decision Sought**

The Board is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the review application will be submitted to the Board for consideration at the next meeting.

5. **Attachments**

Annex A	Letter dated 14.11.2019 from the applicant's representative
Plan R-1	Location plan

PLANNING DEPARTMENT
December 2019